

INTERFERENCE INITIAL MEMORANDUM

BOARD OF PATENT APPEALS AND INTERFERENCES: An interference is found to exist between the following cases:

This interference involves 7 parties

| | | | | |
|---|--------------------------------|--------------------------------|--------------------|--------------------|
| PARTY EATON ET AL | SERIAL NO. 08/422548 | FILING DATE 04/13/95 | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
| Application has been patented, have maintenance fees been paid? <u>Yes</u> <u>No</u> Maintenance fees not due yet | | | | |
| *Accorded the benefit of: | | | | |
| COUNTRY | SERIAL NO. | FILING DATE | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
| US | 08/223263 | 4/4/94 | | |
| US | 08/196689 | 2/15/94 | | |
| US | 08/185607 | 1/21/94 | | |
| US | 08/176553 | 1/3/94 | | |

The claim(s) of this party which correspond(s) to this count is(are):

PATENTABLE CLAIMS

13, 14

UNPATENTABLE CLAIMS

NONE

The claim(s) of this party which does(do) not correspond to this count is(are):

PATENTABLE CLAIMS

NONE

UNPATENTABLE CLAIMS

NONE

| | | | | |
|---|--------------------------------|-------------------------------|--------------------|--------------------|
| PARTY EATON ET AL | SERIAL NO. 08/429765 | FILING DATE 4/26/95 | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
| Application has been patented, have maintenance fees been paid? <u>Yes</u> <u>No</u> Maintenance fees not due yet | | | | |
| *Accorded the benefit of: | | | | |
| COUNTRY | SERIAL NO. | FILING DATE | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
| US | 08/348658 | 12/2/94 | | |
| US | 08/176553 | 1/3/94 | | |

The claim(s) of this party which correspond(s) to this count is(are):

PATENTABLE CLAIMS

6, 7, 24-26

UNPATENTABLE CLAIMS

NONE

The claim(s) of this party which does(do) not correspond to this count is(are):

PATENTABLE CLAIMS

NONE

UNPATENTABLE CLAIMS

NONE

Instructions

- For every patent involved in the interference, check if the fees have been paid by using the patent number with the PALM screen CR06.
If fees are due and they have not been paid, the interference cannot be declared since it would involve an expired patent. (35 USC 135(a); 37 CFR 1.606).
 - For each party, separately identify the patentable and unpatentable claims which correspond to the count. (37 CFR 1.601 (f), 1.601 (n), 1.609(b)(2)).
 - For each party, separately identify the patentable and unpatentable claims which do not correspond to the count (37 CFR 1.609(b)(3)).
 - Forward all files including those the benefit of which is being accorded.
 - Keep a copy of the Interference Initial Memorandum and any attachments for your records.
- All information requested below must be attached on (a) separate sheet(s) and type-written.
- On a separate sheet, set forth a single proposed interference count. If any claim of any party is exactly the same word for word as this count, please indicate the party, application or patent number, and the claim number.
 - For each claim designated as corresponding to the count, provide an explanation of why each claim defines the same patentable invention (37 CFR 1.609(b)(2)).
 - For each claim designated as not corresponding to the count, provide an explanation of why each claim defines a separate patentable invention (37 CFR 1.609(b)(3)).
 - For each additional count, if any, repeat steps 2-6 and, additionally, provide an explanation why each count represents a separate patentable invention from every other count (37 CFR 1.609(b)(1)).

| | | | |
|------------------------|--|----------------------------------|-------------------------|
| DATE 7/30/98 | PRIMARY EXAMINER (Signature) <i>[Signature]</i> | TELEPHONE NO. 308-1793 | ART UNIT 1646 |
| DATE | GROUP DIRECTOR SIGNATURE (if required) | | |

*The serial number and filing date of each application the benefit of which is intended to be accorded must be listed. It is not sufficient to merely list the earliest application if there are intervening applications necessary for continuity.

THIS PAGE CAN BE DUPLICATED IF THERE ARE MORE THAN TWO INTERFERING PARTIES.

INTERFERENCE INITIAL MEMORANDUM

Court # 1

BOARD OF PATENT APPEALS AND INTERFERENCES: An interference is found to exist between the following cases:

This interference involves 7 parties

| | | | | |
|--|--------------------------------|--------------------------------|--------------------|--------------------|
| PARTY EATON ET AL | SERIAL NO. 08/430035 | FILING DATE 04/27/96 | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
| If application has been patented, have maintenance fees been paid? <u>Yes</u> <u>No</u> Maintenance fees not due yet | | | | |

| | | | | |
|---------------------------|------------|-------------|--------------------|--------------------|
| *Accorded the benefit of: | | | | |
| COUNTRY | SERIAL NO. | FILING DATE | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
| US | 08/196689 | 2/15/94 | | |
| US | 08/185607 | 1/21/94 | | |
| US | 08/176553 | 1/3/94 | | |

The claim(s) of this party which correspond(s) to this count is(are):

PATENTABLE CLAIMS

9, 10

UNPATENTABLE CLAIMS

NONE

The claim(s) of this party which does(do) not correspond to this count is(are):

PATENTABLE CLAIMS

NONE

UNPATENTABLE CLAIMS

NONE

| | | | | |
|--|--------------------------------|------------------------------|--------------------|--------------------|
| PARTY EATON ET AL | SERIAL NO. 08/433767 | FILING DATE 5/3/95 | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
| If application has been patented, have maintenance fees been paid? <u>Yes</u> <u>No</u> Maintenance fees not due yet | | | | |

| | | | | |
|---------------------------|------------|-------------|--------------------|--------------------|
| *Accorded the benefit of: | | | | |
| COUNTRY | SERIAL NO. | FILING DATE | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
| US | 08/374540 | 1/18/95 | | |
| US | 08/249376 | 5/25/94 | | |
| US | 08/223263 | 4/4/94 | | |
| US | 08/196689 | 2/15/94 | | |
| US | 08/348658 | 12/2/94 | | |
| US | 08/185607 | 1/21/94 | | |
| US | 08/348657 | 12/2/94 | | |
| US | 08/176553 | 1/3/94 | | |

The claim(s) of this party which correspond(s) to this count is(are):

PATENTABLE CLAIMS

20, 21

UNPATENTABLE CLAIMS

NONE

The claim(s) of this party which does(do) not correspond to this count is(are):

PATENTABLE CLAIMS

NONE

UNPATENTABLE CLAIMS

NONE

Instructions

- For every patent involved in the interference, check if the fees have been paid by using the patent number with the PALM screen CR06.
If fees are due and they have not been paid, the interference cannot be declared since it would involve an expired patent. (35 USC 135(a); 37 CFR 1.606).
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 - For each claim designated as not corresponding to the count, provide an explanation of why each claim defines a separate patentable invention (37 CFR 1.609(b)(3)).
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| | | | |
|------------------------|---|----------------------------------|-------------------------|
| DATE 7/30/98 | PRIMARY EXAMINER (Signature) <i>J. Spitzer</i> | TELEPHONE NO. 308-1793 | ART UNIT 1646 |
| DATE | GROUP DIRECTOR SIGNATURE (if required) | | |

*The serial number and filing date of each application the benefit of which is intended to be accorded must be listed. It is not sufficient to merely list the earliest application if there are intervening applications necessary for continuity.

THIS PAGE CAN BE DUPLICATED IF THERE ARE MORE THAN TWO INTERFERING PARTIES.

Page 2 of 4

BOARD OF PATENT APPEALS AND INTERFERENCES: An interference is found to exist between the following cases:

This interference involves 2 parties

| | | | | |
|--|---------------------------------|--------------------------------|--------------------|--------------------|
| PARTY <u>HOLLY ET AL</u> | SERIAL NO. <u>08/464 187</u> | FILING DATE <u>06/05/95</u> | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
| If application has been patented, have maintenance fees been paid? <u>Yes</u> <u>No</u> Maintenance fees not due yet | | | | |
| *Accorded the benefit of: | | | | |
| COUNTRY | SERIAL NO. | FILING DATE | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
| <u>US</u> | <u>08/252,491</u> | <u>06/01/94</u> | | |
| <u>US</u> | <u>08/215,203</u> | <u>03/21/94</u> | | |
| <u>US</u> | <u>08/203,197</u> | <u>02/25/94</u> | | |
| <u>US</u> | <u>08/196,025</u> | <u>02/14/94</u> | | |

The claim(s) of this party which correspond(s) to this count is(are):

PATENTABLE CLAIMS

UNPATENTABLE CLAIMS

NONE

The claim(s) of this party which does(do) not correspond to this count is(are):

PATENTABLE CLAIMS

UNPATENTABLE CLAIMS

NONENONE

| | | | | |
|--|--------------------------------|-------------------------------|--------------------|--------------------|
| PARTY <u>EATON ET AL</u> | SERIAL NO. <u>08/400058</u> | FILING DATE <u>7/24/97</u> | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
| If application has been patented, have maintenance fees been paid? <u>Yes</u> <u>No</u> Maintenance fees not due yet | | | | |
| *Accorded the benefit of: | | | | |
| COUNTRY | SERIAL NO. | FILING DATE | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
| <u>US</u> | <u>08/430010</u> | <u>4/26/95</u> | | |
| <u>US</u> | <u>08/348658</u> | <u>12/2/94</u> | | |
| <u>US</u> | <u>08/185607</u> | <u>1/21/94</u> | | |
| <u>US</u> | <u>08/176553</u> | <u>1/3/94</u> | | |

The claim(s) of this party which correspond(s) to this count is(are):

PATENTABLE CLAIMS

UNPATENTABLE CLAIMS

9 10NONE

The claim(s) of this party which does(do) not correspond to this count is(are):

PATENTABLE CLAIMS

UNPATENTABLE CLAIMS

NONENONE

Instructions

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(35 USC 135(a); 37 CFR 1.606).
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| | | | |
|------------------------|--|----------------------------------|-------------------------|
| DATE <u>7/30/98</u> | PRIMARY EXAMINER (Signature) <u>[Signature]</u> | TELEPHONE NO. <u>308-1793</u> | ART UNIT <u>1646</u> |
| DATE | GROUP DIRECTOR SIGNATURE (if required) | | |

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INTERFERENCE INITIAL MEMORANDUM

Count # 1

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This interference involves 7 parties

| PARTY | SERIAL NO. | FILING DATE | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
|-----------------|------------|-------------|--------------------|--------------------|
| MIYAZAKI, ET AL | 08/592,131 | 1/26/96 | | |

If application has been patented, have maintenance fees been paid? Yes No Maintenance fees not due yet

*Accorded the benefit of:

| COUNTRY | SERIAL NO. | FILING DATE | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
|---------|------------|-------------|--------------------|--------------------|
| US | 08/535025 | 11/30/95 | | |
| US | 08/381478 | 1/31/95 | | |
| US | 08/361811 | 12/22/94 | | |
| US | 08/320300 | 10/11/94 | | |
| US | 08/278083 | 7/20/94 | | |
| US | 08/221020 | 4/1/94 | | |
| US | 08/212164 | 3/14/94 | | |
| JAPAN | 6-39090 | 2/14/94 | | |
| JAPAN | 6-79842 | 3/25/94 | | |
| JAPAN | 6-155126 | 6/1/94 | | |
| JAPAN | 6-167328 | 6/15/94 | | |
| JAPAN | 6-227159 | 8/17/94 | | |
| JAPAN | 6-193169 | 8/17/94 | | |
| JAPAN | 6-193916 | 8/18/94 | | |
| JAPAN | 6-304167 | 11/1/94 | | |
| JAPAN | 6-298669 | 12/1/94 | | |
| JAPAN | 6-341200 | 12/28/94 | | |

The claim(s) of this party which correspond(s) to this count is(are):

PATENTABLE CLAIMS

42-51

UNPATENTABLE CLAIMS

NONE

The claim(s) of this party which does(do) not correspond to this count is(are):

PATENTABLE CLAIMS

NONE

UNPATENTABLE CLAIMS

NONE

| PARTY | SERIAL NO. | FILING DATE | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
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| COUNTRY | SERIAL NO. | FILING DATE | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
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PATENTABLE CLAIMS

UNPATENTABLE CLAIMS

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PATENTABLE CLAIMS

UNPATENTABLE CLAIMS

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| | | | |
|---------|--|---------------|----------|
| DATE | PRIMARY EXAMINER (Signature) | TELEPHONE NO. | ART UNIT |
| 7/30/98 | <i>[Signature]</i> | 308-1793 | 1646 |
| DATE | GROUP DIRECTOR SIGNATURE (if required) | | |

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